REMARKS

In view of the foregoing claim amendments, attached substitute specification, and following remarks, reevaluation and further processing of the application is requested. Claims 1 and 2 have been amended to address both the previous restriction requirement and the Examiner's remarks from the Office Communication mailed January 8, 2007. Claims 3 to 14 were previously withdrawn. Claims 1 to 17 are pending; and claims 3 - 14 have been withdrawn from consideration.

In the Office Action, the Examiner objected to the previous substitute specification for the introduction of new matter into the specification. Specifically, at pages 12 and 13, the Examiner stated that the Applicant added pharmaceutical compositions comprising numerous peptide species that do not appear in the specification as filed. It is believed the Examiner refers to paragraph 64, lines 3 to 5 of the previous substitute specification filed 10/11/05 in which "a pharmaceutical composition which comprises a therapeutically effective amount of at least one peptide with an amino acid sequence as disclosed herein in SEQ.ID.NO. 1, 2 or 3..." is replaced by "a pharmaceutical composition which comprises a therapeutically effective amount of at least one peptide with an amino acid sequence as disclosed herein in SEQ.ID.NO. 1, 2 ~~or~~ 3, 4, 5, 6, 7, 8 or 9...". Also, paragraph 64, top of page 13, refers to "...the peptides of SEQ ID NO. 1, 4, 5, 6, 8, or 9 and SEQ ID NO. 2 in equimolar amounts." In the specification as originally filed, page 3, paragraph 3, describes nine peptides designated as (1_1), (1_2), (1_3), (1_4), (1_5), (1_6), (1_7), (2) and (3). It was previously requested by the Examiner that each peptide in the original specification receive a unique SEQ ID NO. Subsequently, in the previous substitute specification, filed 10/11/05, page 3, original peptide (1_1) was designated SEQ ID NO: 1, original peptide (2) was designated SEQ ID NO: 2, original peptide (3) was designated SEQ ID NO: 3, original peptide (1_2) became SEQ ID NO: 4, original peptide (1_3) was designated SEQ ID NO: 5, original peptide (1_4) was designated SEQ ID NO: 6, original peptide (1_5) was designated SEQ ID NO: 7, original peptide (1_6) was designated SEQ ID NO: 8 and original peptide (1_7) was designated SEQ ID NO: 9. Since the original SEQ ID NO. 1 [original peptides (1_1), (1_2), (1_3), (1_4), (1_5), (1_6), and (1_7)] by subsequent designation became SEQ ID NO: 1, 4, 5, 6, 7, 8, and 9, no new matter was added to the specification by the previous substitute specification.

In the Office Action, the Examiner remarked that the previous substitute specification filed 10/11/05 still contained numerous spelling errors, so a new substitute specification was required by the Examiner. A new Substitute Specification has been prepared and a marked-up copy and a clean copy of the Substitute Specification are both attached to this Amendment. It is hoped that the Examiner finds the new Substitute Specification is acceptable. The Examiner is thanked for his patience with regard to this aspect of the prosecution of this application. No new matter has been added to the attached Substitute Specification.

In the Office Action, the Examiner objected to the Declaration as previously filed due to numerous uninitialed changes. A new Declaration has been prepared and sent to the Inventors for execution. The new Declaration will be filed upon execution by the Inventors.

In the Office Action, the Examiner rejected claims 1 and 2 under 35 U.S.C.§ 112 as being indefinite. Claims 1 and 2 have been amended to address the Examiner's concerns. Claim 1 has been amended to remove non-elected inventions and is limited to those peptides comprising an AxKKK motif as in Group I of the previous restriction requirement. Further, the phrases deemed unclear or imprecise have been removed from amended claim 1. Claim 2 has been amended to clarify imprecise or vague and indefinite phrases.

In the Office Action, the Examiner also rejected claims 1 and 2 under 35 U.S.C.§ 112 as containing subject matter not described in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention. Claims 1 and 2 have been amended as described above. The peptides in claim 1 are described by sequence on pages 3 and 6; and the peptides in claim 2 are described on page 7, paragraph 1, in the application as originally filed. Uses for H1-C-terminus-type peptides with antigenic or immunogenic determinants recognized by autoantibodies are described throughout the patent application as originally filed, for example, use of H1-C-terminus peptides as antigens in ELISA is described in detail starting on page 7, paragraph 4 of the application as originally filed. Use of the claimed peptides to form monoclonal antibodies (antihistone antibodies) directed against the autoantibodies in the body liquids of SLE patients using the claimed peptides is outlined starting on page 8, paragraph 5 in the application as originally filed. Further, in vivo immunization with histone H1 (SEQ ID NO: 1) coupled by use of glutaraldehyde to Eupergit C led to production of three monoclonal IgM antibodies as described on page 11, paragraph 1 of the application as

originally filed. The Examiner is respectfully requested to reconsider the rejected claims in light of the amendments and the remarks.

It is believed that pending claims 1 and 2 are now in condition for allowance and the Examiner is respectfully asked to reconsider and withdraw his rejection.

In light of the above amendments and remarks, it is believed that the application is now in condition for allowance, and such action is respectfully requested. If the Examiner believes that it would be helpful to discuss any of the amendments or remarks presented herein, the Examiner is invited to contact the undersigned at the telephone number provided below.

The fee for Petition for Extension of Time for three months, extending the time from April 8, 2007 to July 8, 2007 is being paid herewith. It is not believed that additional fees are due in connection with this correspondence. However, any necessary additional fees may be charged or overpayments may be credited to Deposit Account No. 50-1561.

Respectfully submitted,

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